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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

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6 JOSHUA J. BALDASSARRE,

Case No. 2:24-cv-00574-MMD-DJA

7 Petitioner,

ORDER

8 v.

9 WARDEN BEAN, *et al.*,

10 Respondents.

11 Petitioner Joshua J. Baldassarre, a *pro se* Nevada prisoner, submitted a Petition  
12 for Writ of Habeas Corpus (ECF No. 1-1) under 28 U.S.C. § 2254, as well as an  
13 Application to Proceed *in forma pauperis* (“IFP”) (ECF No. 1).

14 A \$5.00 filing fee is required to initiate a habeas action in a federal district court.  
15 28 U.S.C. § 1914(a); Judicial Conference Schedule of Fees. The court may authorize a  
16 person to begin an action without prepaying fees and costs if the person demonstrates  
17 indigency. 28 U.S.C. § 1915; LSR 1-1, 1-2. The IFP application must be submitted on the  
18 form provided by the court and include specific financial information and a declaration  
19 confirming under the penalty of perjury that the financial information is true. *Id.*

20 The financial certificate shows Petitioner is able to pay the \$5 filing fee. (ECF No.  
21 1 at 4.) Thus, he does not qualify for a fee waiver. The Court therefore denies the IFP  
22 application and gives Petitioner 45 days to pay the \$5 filing fee.

23 It is therefore ordered that Petitioner’s Application to Proceed *in forma pauperis*  
24 (ECF No. 1) is denied.

25 It is further ordered that the initial screening of the Petition for Writ of Habeas  
26 Corpus (ECF No. 1-1) under the Rules Governing Section 2254 Cases is deferred to until  
27 such time as he has fully complied with this order.

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1        It is further ordered that, within 45 days of the date of this order, Petitioner must  
2 pay the \$5 filing fee.

3        The Clerk of Court is directed to send Petitioner two copies of this order. If  
4 Petitioner decides to pay the filing fee from his inmate account, he must arrange to have  
5 a copy of this order attached to the check for the filing fee.

6        It is further ordered that Petitioner's failure to comply with this order within 45 days  
7 by paying the filing fee will result in the dismissal of this action without prejudice and  
8 without further advance notice.

9        DATED THIS 3<sup>rd</sup> Day of April 2024.



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11        MIRANDA M. DU  
12        CHIEF UNITED STATES DISTRICT JUDGE  
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